



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 1.24

Subject: Marriage Requests For Youth in Custody of The Department of Children's Services

Supersedes: DCS 1.24, 07/01/99

Local Policy: No

Local Procedures: No

Training Required: No

Applicable Practice Model Standard(s): Yes

Approved by:

A handwritten signature in cursive script, appearing to read "Linda P. Miller", is positioned next to the "Approved by:" label.

Effective date: 07/01/99

Revision date: 03/01/05

Application

To All Department of Children's Services Employees and Youth

Authority: TCA 36-3-105 and 106; 37-5-106

Policy

Youth in the custody of the Department of Children's Services are required to obtain the permission of the Commissioner or designee of the Department of Children's Services prior to marriage.

Procedures

A. Youth on probation or aftercare

Youth on probation or aftercare supervision shall be allowed to marry at any time they may legally do so. However, youth must be informed that they must notify their home county case manager prior to the marriage.

B. Youth in custody of DCS

In all cases where the department has custody, any youth who wishes to marry shall be required to inform their case manager.

C. Marriage request procedures

1. The youth shall submit a written request to the home county case manager supervising the youth.

2. Eligible requests shall be forwarded to the Commissioner of the Department of Children's Services for approval.
3. Whenever a youth marries, the case manager or home county case manager shall ensure that the youth's case file reflects the change in name and marital status.

**D. Counseling of
youth**

Upon notification of the youth's intent to marry, the home county case manager shall counsel the youth concerning their responsibilities of marriage in relation to being in DCS custody and shall provide the following information to the youth:

1. The minimum legal age to marry in the State of Tennessee is sixteen (16) years.
2. If the youth is at least sixteen (16) years old but is less than eighteen years old, he/she must have the consent of the custodial parent(s)/guardian(s) to grant consent to the youth's marriage.
3. The juvenile judge, at his/her discretion, may waive the age requirements.
4. Marriage does not constitute a reason for automatic consideration for release, discharge or transfer, and the youth's program shall continue as planned.
5. No special arrangements/conditions shall be automatically granted relative to the marriage, i.e., special passes and visitations.
6. Marriage without permission shall be subject to possible disciplinary action.
7. The youth's marriage ceremony shall not take place at a DCS office or facility.
8. The Department of Children's Services shall not be responsible for any costs involved in a youth's marriage.

Forms

None

Collateral Documents

None

Standards

DCS Practice Model Standard – 10-101